

FROM: 00548190 TO: Dounld, D

SUBJECT: #3136738204

DATE: 02/28/2022 06:18:32 PM

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT SOUTHERN DIVISION

Case: 1:22-cv-10542

Judge: Ludington, Thomas L. MJ: Stafford, Elizabeth A. Filed: 02-28-2022 At 01:02 PM

PRIS DONALD FERGUSON V USA (SS)

Untied States of America

Plaintiff

Case#

Judge: Denise Page Hood (expedite oral hearing)

. -V-

Donald Ferguson

Defendant

EMERGENCY MOTION FOR COMPASSIONATE RELEASE

Now come the defendant and respectfully plea and pray for a expedited oral hearing for compassionate release. This plea is further supported in the attach memorandum.

Respectfully,
Donald Ferguson
Dinald Leguson

MEMORANDUM

On 2/16/22 defendant petitioned Milan Detention Center for compassionate release pursuant to 18 u.s.c4205(g) and 3582(c) (1)(A) program statement 5050.50, on 2/22/22. Warden Hemingway declined to grant defendant the compassionate release sought through exhaustion of administrative remedy. (see exhibit) Prior to the filing of 18 u.s.c. 4205(g) defendant had asserted to his counsel to file a mandamus to predicate the multiple failing health issues he is undergoing. (see exhibit). Now pending before this honorable court is defendant's Emergency motion for compassionate release pursuant to 18 u.s.c. 3582(c)(1)(A). Via the motion, defendant seeks a reduction of his 7 month sentence and immediate release from the custody of the Bureau of Prisons, pursuant to 18 u.s.c. 3582(c)(1)(A)(i). Unlike many federal inmates in this district and around the country, defendant assert not only his vunerableness to contract Covid-19 or a variant which will certainly lead to his death due to his age (69) and numerous health issues, but defendant also highlight that since his being detained in MDOC for more than 38 years he has requested physicals to ascertain his failing health. Defendant assert that the ongoing Covid-19 pandemic, as applied to his specific health profile, satisfies the requirement of extraordinary and compelling reasons necessary for this court to grant compassionate release under section 3582 (c)(1)(A)(i) and that compassionate release is otherwise appropriate in this case.

BACKGROUND

Defendant, after serving 38 years in MDOC, was detained into Federal custody stemming from a federal parole violation. Defendant asserts that during his state detention, he on numerous occasions notified federal authorities of his intention to either consolidate the federal and state litigation or have the federal litigation terminated due to the length of the state imposed sentence. Defendant also informed the federal government of his urgent need for medical attention, which went disregarded and unanswered which has manifested defendant current deteriorating health crisis. Throughout defendant detention for the 38 years he was not afforded medical attention or an interview that was supposed to have manifested 7-10 days after his initial arrest. That arbitrary detention has manifested undue "stress" on defendant and his family. Defendant has for the past 30 plus years been gravely suffering from "High Blood Pressure", "Enlarged Prostate", "High Cholesterol", and need of immediate "Hernia" surgery. (see exhibit). Defendant being 69 and in a facility that greater his risk of contracting Covid-19 or a variant fall within the scope of a 8th and 14th amendment violation for cruel and unusual punishment for not being able to obtain adequate medical attention. On ______ 20 ____ defendant had 7month violation sentence imposed upon him. After serving a 38 years sentence and unable to obtain adequate medical attention, the imposing of 7 months was unwarranted at defendant age of 69.

LEGAL STANDARDS

Prior to 2018, only the director of the Bureau of Prisons could move for compassionate release. The First Step Act amended 10 u.s.c. 3582(c) to allow prisoners to move for compassionate release on their own behalf. (see First Step Act of 2018 sec.603, pub.L.No.115-391, 132 stat.5239. Now under 18 u.s.c.3582(c)(1)(A), as modified by the section 603(b)(1) First Step Act, a district court may under certain circumstances such as this granted a defendant motion for compassionate release (see United States -v- Jones, 980 f.3d 1098) The court will find that the attach exhibits and defendant urgent need on immediate surgery warrant a granting of compassionate release or a immediate medical furlough to obtain the surgery at defendant expense. Defendant has exhausted his administrative remedies. In it's recently issued opinion in "JONES", the 6th cir. discussed the steps of the compassionate release analysis: The 3 step 3582(c)(1)(A) test is as follows: At step one, a court must find

extraordinary and compelling reasons warrant a sentence reduction. Defendant has predicated that he is a 69 year old African American male whom has endured a 38 year sentence and during that duration defendant on numerous occasions sought immediate medical surgery which went unanswered. The surgery needed by defendant is in immediate need to prevent further deterioration of defendant health. This surgery within itself warrant either an immediate medical furlough, or reduction of the remaining 190 days left on his imposed parole violation. At step two, a court must find whether such a reduction is consistent with applicable policy statements issued by the sentencing commission. This court will clearly find that a reduction of 190 days is warranted or a medical furlough issued in his circumstance. At step 3, 3582(c) factors and determine whether, in its discretion, the reduction authorized by step one and two is warranted in whole or in part under the particular circumstances of the case. The 6th cir, held that the passage of the first step act rendered section 1B1.13 inapplicable to cases where an imprisoned person files a motion for compassionate release. Therefore, until the sentencing commission updates section 1B1.13 to reflect the First Step Act, a district court have full discretion in the interim to determine whether an extraordinary and compelling reason justifies compassionate release when an imprisoned person files a section 3582(c)(1)(A) motion. In other words, because section 1B1.13 in inapplicable to defendant filed motions, a district court adjudicating such a motion is not bond by anything section 1B1.13 has to say about including any limitations or requirements section 1B1.13 would impose upon-the finding of extraordinary and compelling reasons. Defendant also assert that due to the ruling in "Jones" the district court, in adjudicating a defendant-filed motion may disregard the requirement of section 1B1.13(2) that the defendant not pose a danger in order to grant compassionate release. In adjudicating a defendant-filed motion, a district court determines that extraordinary and compelling reasons for compassionate release exist, the court then determines compassionate release is warranted in light of the section 3553(A) sentencing factors.

FACTS

The circumstances that compel defendant to have a 7 month violation imposed stem from an already expired 38 year incarceration. Defendant characteristics and nature is not of a danger or threat to any community or neighborhood he'll be released to. Defendant has already endured a 38 year sentence and the imposing of 7 months was unnecessary and unwarranted. Defendant 38 year sentence served has more than compel respect and promoting of defendant to capitulate and comport to the law. Defendant being 69 years of age and forfeiting 38 years to incarceration has manifested adequate deterrence to engage in criminal conduct in the future. Defendant once again assert his 38 years of incarceration and being 69 years of age with multiple health issues assure the pubic it will be protected from further crimes. Defendant note that after recovering from his surgery upon release he will pursue furthering his education and community service work in the neighborhood and this compassionate release will afford defendant that opportunity. Defendant will also participate in vocational training.

Respectfully,

Donald Ferguson

PROOF OF SERVICE

I, Donald Ferguson, certify a true copy of the foregoing was sent to the clerk of courts on this 8th day of March 2022.

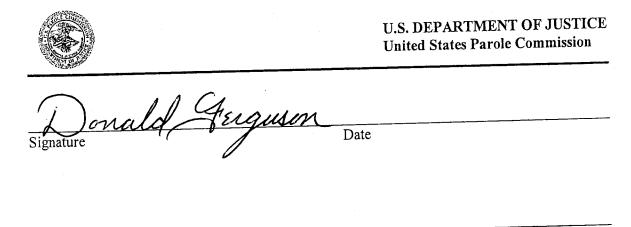
espectfully,

nald Fragu Donald Fergyson



U.S. DEPARTMENT OF JUSTICE United States Parole Commission

	United States Farole Commission				
	Response To Ex	xpedited Revocation Propos	al		
Name: FERGUSON	I, DONALD	Reg No: 00548-190	DCDC No:		
and the second s	PRO	POSED DECISION			
Revoke Parole. Non after the service of	e of the time spent of the months.	on release shall be credited. Parole	e effective on 7/20/2022		
period of up to 90 d	ays and shall abide to	he form of location monitoring in by all technology requirements. G shall be used to enforce the follow to other conditions of release.	I S MOMOTINE and		
is warranted because Intent to Commit M	e: Your current viol Iurder, Armed Robb s for Assault with Ir lent behavior in the	d information presented, a decision ation behavior includes conviction ery and Possession of a Firearm. Intent to Rob while Armed and Armondarity indicates you are a minus and armondarity indicates you are a minus armondarity armondarity indicates you are a minus armondarity	Your criminal history med Bank Robbery.		
A STATE AND ADDRESS OF THE PARTY.	accepting this decisi	roposed decision of the U.S. Paro on, I understand that I am accepti y right to a revocation hearing, an	ng responsionity for my		
and the second second	I decline the U.S. Paperson revocation he	arole Commission revocation propearing.	oosal. I wish to have an in-		
	I wish to request an date of this response first.	extension to consider this propose e or the date of the scheduled hear	al until 14 days from the ing, whichever comes		



Witness

Date

FROM: 00548190

TO: MIL/RISCoordinator

SUBJECT: ***Request to Staff*** FERGUSON, DONALD, Reg# 00548190, MIL-D-B

DATE: 0.1/09/2022 01:37:12 PM

To: Vaughn

Inmate Work Assignment: unit orderly

I am requesting a compassionate release relief For the reasons below:

I am a 69 year old man and I have high cholesterol in which i am perscribed 20 m.g atorvastutin, I have hypertensia in which i am perscribed 40 m.g lisinapril, i am also dealing with an enlarged prostate. I also have a bad hernia that i need surgery on for 2 years that leaves excruciating pain on my right side. I am also under tamsulosin HCL 0.4 m.g. I have also recieved a parole date seeing that i am under the old law from 1976, that i should already be released on. Can you please look into my case for me and see what can be done?

RESPONSE TO REQUEST FOR REDUCTION IN SENTENCE Ferguson, Donald

Reg. No: 00548-190

February 16, 2022 FDC/West 120U RIS Request

Your request for Compassionate Release/Reduction in Sentence (RIS) has been reviewed pursuant to 18 U.S.C. 4205(g) and/or 3582 (c)(1)(A). We will not be pursuing a request for compassionate release in your case.

A review of your request reveals you have submitted a request for a reduction in sentence based on inmates with a debilitating medical condition.

Program Statement 5050.50, states a request for a motion under 18 U.S.C. 4205(g) or 3582(c)(1)(A) shall be submitted to the Warden. Ordinarily, the request shall be in writing, and submitted by the inmate. An inmate may initiate a request when there are particularly extraordinary or compelling circumstances which could not reasonably have been foreseen by the court at the time of sentencing. The criteria for a RIS request as an elderly inmate with medical conditions requires that you are experiencing a deteriorating mental or physical health condition that substantially diminishes your ability to function in a correctional facility, suffer from chronic or serious medical conditions related to the aging process, and/or conventional treatment promises no substantial improvement to your mental or physical condition.

The Bureau of Prisons (BOP) is carefully monitoring the spread of the COVID-19 virus and taking extraordinary measures to contain it. As with any type of emergency situation, we carefully assess how to best ensure the safety of staff, inmates and the public.

Your current medical condition, with or without the spread of the COVID-19 virus, does not meet the criteria outlined in the paragraph above. We recognize that you, like all of us, have legitimate concerns and fears about the spread and effects of the virus. However, your concern about being potentially exposed to, or possibly contracting COVID-19 does not currently warrant an early release.

Accordingly, your Request for Reduction in Sentence is denied. In the event you are not satisfied with this response and wish to appeal, you may contact your Unit Team to initiate an appeal in accordance with the Administrative Remedy Program. Please note, this appeal process begins with a BP-9 (Warden-level).

I trust this addresses your concerns.

Jonathan Hemingway, Warden

7.22.22

Date

Case 1:22-cv-10542-TLL-EAS ECTING: 1, PagetD.7 Filed 02/28/22 Page 7 of 21

Inmate Name:

FERGUSON, DONALD

Date of Birth: 08/

08/12/1952

Encounter Date: 11/02/2021 07:21

Sex:

Provider:

M Race: BLACK Facili Weaver, Sarah (MAT) NP Unit:

Reg #: Facility: 00548-190

MIL D03

Reflexes:

Right

Left

Biceps:

Patellar:

2/4

2/4

Brachioradialis:

Achilles:

Sensation:

Vibratory: Yes Light Touch: Yes Pin Prick: Yes

Comments:

GU:

Chaperoned By:

Rectum: Not Done

Comments: Golf ball size hernia right groin reducible

Male Genitalia: Not Done

Comments: Not assessed

Skin:

Normal: Yes Rash: No Redness: No

Abnormal Pigmentation: No Abnormal Lesions/Growths: No

· Comments:

Lymphatics:

Adenopathy: No

Comments:

Potential Items For Follow-up:

Item

Hypertension History

Blood Product Transfusion

Tattoos

Hepatitis - C

Other Infectious Disease History

Sexual Abuse History

Eye Glasses

FROM: 00548190 TO: Medical Services

SUBJECT: ***Request to Staff*** FERGUSON, DONALD, Reg# 00548190, MIL-D-B

DATE: 02/08/2022 01:35:32 PM

To: ms. clingerman

Inmate Work Assignment: none

My Hernia Has my stomach hurting everyday, I believe I have devolope vericose seal with this hernia. because i hurt so badly pushing the hernia back in. this is 3-years of dealing with this problem. I am 69 years olds, I go home on 7-20-22, but i may not make it if i cant recieve some help.



FMC Rochester

2110 E. Center Street Rochester, MN 55904 507-287-0674

*** Sensitive But Unclassified ***

Collected 01/04/2022 08:54 EST Facility FCI Milan Name FERGUSON, DONALD Received 01/05/2022 14:45 EST Reg # 00548-190 Order Unit D03-120U Reported 01/06/2022 11:37 EST **DOB** 08/12/1952 Provider Sarah Weaver, NPC 306211034 Sex Μ LIS ID

		CHEMISTRY		
Sodium		141	136-145	mmol/L
Potassium		4.9	3.5-5.1	mmol/L
Chloride		105	98-107	mmol/L
Carbon Dioxide		26	22-29	mmol/L
Urea Nitrogen (BUN)		16	8-23	mg/dL
Creatinine		1.02	0.67-1.17	mg/dL
eGFR (IDMS)		>60		
GFR units measured as mL If African American multiply A calculated GFR <60 sugg	by 1.210.	y disease if found over a 3 mor		
Calcium		9.6	8.8-10.2	mg/dL
Glucose	Н	168	74-109	mg/dL
AST		33	10-50	U/L
ALT		31	10-50	U/L
Alkaline Phosphatase		58	49-126	U/L
Bilirubin, Total		0.4	0.1-1.2	mg/dL
Protein, Total		7.2	6.6-8.7	g/dL
Albumin		4.9	3.5-5.2	g/dL
Globulin		2.3	2.0-3.7	g/dL
Albumin/Globulin Ratio		2.13	1.00-2.30	
Anion Gap		10.2	9.0-19.0	
BUN/Creatinine Ratio		15.2	5.0-30.0	
Cholesterol, Total	Н	205	<200	mg/dL
Triglycerides		101	<150	mg/dL
HDL Cholesterol		44	40-60	mg/dL
LDL-Cholesterol	Н	141	<130	mg/dL
Chol/HDLC Ratio	Н	4.7	0.0-4.0	
		SPECIAL CHEMISTRY		
PSA, Total		1.13	<4.50	ng/mL

men after prostatectomy.

uIU/mL 0.27-4.20 2.42 **TSH**

	HEMATOLOGY		
.White Blood Cell Count	6.7	3.5-10.5	K/uL
Red Blood Cell Count	4.67	4.10-6.00	M/uL
Hemoglobin	12.7	12.0-17.5	g/dL

H=High H!=High Critical A=Abnormal A! =Abnormal Critical L=Low L!=Low Critical **FLAG LEGEND**



FLAG LEGEND

FMC Rochester

2110 E. Center Street Rochester, MN 55904 507-287-0674

*** Sensitive But Unclassified ***

Name FERGUSON, DONALD Reg # 00548-190 **DOB** 08/12/1952 Sex Μ

Facility FCI Milan Order Unit D03-120U Provider Sarah Weaver, NPC

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		CHEMISTRY		
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Potassium		4.9	3.5-5.1	mmol/L
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Carbon Dioxide		26	22-29	mmol/L
Urea Nitrogen (BUN)		16	8-23	mg/dL
Creatinine		1.02	0.67-1.17	mg/dL
eGFR (IDMS)		>60		
GFR units measured as mL/n If African American multiply b A calculated GFR <60 sugges	v 1 210	y disease if found over a 3 mo		
Calcium		9.6	8.8-10.2	mg/dL
Glucose	Н	168	74-109	mg/dL
AST		33	10-50	U/L
ALT		31	10-50	U/L
Alkaline Phosphatase		58	49-126	U/L
Bilirubin, Total		0.4	0.1-1.2	mg/dL
Protein, Total		7.2	6.6-8.7	g/dL
Albumin		4.9	3.5-5.2	g/dL
Globulin		2.3	2.0-3.7	g/dL
Albumin/Globulin Ratio		2.13	1.00-2.30	
Anion Gap		10.2	9.0-19.0	
BUN/Creatinine Ratio		15.2	5.0-30.0	
Cholesterol, Total	Н	205	<200	mg/dL
Triglycerides		101	<150	mg/dL
HDL Cholesterol		44	40-60	mg/dL
LDL-Cholesterol	Н	141	<130	mg/dL
Chol/HDLC Ratio	Н	4.7	0.0-4.0	
		SPECIAL CHEMISTRY	,	
PSA, Total		1.13	<4.50	ng/mL
The minimal reporting value is men after prostatectomy.	s 0.1 ng/mL. Va	lues >0.2 ng/mL are considered	d evidence of biochemical recurre	nce of cancer in
TSH		2.42	0.27-4.20	uIU/mL
		HEMATOLOGY		
White Blood Cell Count		6.7	3.5-10.5	K/uL
Red Blood Cell Count		4.67	4.10-6.00	M/uL
Hemoglobin		12.7	12.0-17.5	g/dL

L=Low L!=Low Critical H=High H!=High Critical A=Abnormal A! =Abnormal Critical



FMC Rochester 2110 E. Center Street Rochester, MN 55904

507-287-0674

		*** Sensitive But Unclassified ***
Name FERGUSON, DONALD	Facility FCI Milan	Collected 01/04/2022 08:54 EST
Reg # 00548-190	Order Unit D03-120U	Received 01/05/2022 14:45 EST
DOB 08/12/1952	Provider Sarah Weaver, NPC	Reported 01/06/2022 11:37 EST
Sex M	·	LIS ID 306211034

		HEMATOLOGY		
Hematocrit		38.8	38.8-50.0	%
MCV		83.1	76.0-100.0	fL
MCH		27.2	27.0-33.0	pg
MCHC		32.7	28.0-36.0	g/dL
RDW-CV	•	13.4	12.0-15.0	%
Platelet Count	•	238	150-450	K/uL
MPV	. Н	11.4	6.9-10.5	fL

	·	·		
*		HEMOGLOBIN A1C		
Hemoglobin A1C	Н	6.4	<5.7	%

^{5.7 - 6.4} Increased Risk > 6.4 Diabetes



FMC Rochester

2110 E. Center Street Rochester, MN 55904 507-287-0674

 Name
 FERGUSON, DONALD
 Facility
 FC! Milan
 Collected 01/04/2022 08:54 EST

 Reg # 00548-190
 Order Unit D03-120U
 Received 01/05/2022 14:45 EST

 DOB 08/12/1952
 Provider Sarah Weaver, NPC
 Reported 01/06/2022 11:37 EST

 Sex M
 LIS ID 306211034

		HEMATOLOGY		
Hematocrit		38.8	38.8-50.0	%
MCV		83.1	76.0-100.0	fL
MCH		27.2	27.0-33.0	pg
MCHC		32.7	28.0-36.0	g/dL
RDW-CV	*	13.4	12.0-15.0	%
Platelet Count		238	150-450	K/uL
MPV	Н	11.4	6.9-10.5	fL

HEMOGLOBIN A1C						
Hemoglobin A1C	H	6.4	<5.7	%		

^{5.7 - 6.4} Increased Risk > 6.4 Diabetes

Bureau of Prisons Health Services Clinical Encounter

Inmate Name: FERGUSON, DONALD

Date of Birth: 08/12/1952

Encounter Date: 11/02/2021 07:36

Sex: M Race: BLACK

Provider: Weaver, Sarah (MAT) NP

Reg #: 00548-190

Facility: MIL Unit: D03

Chronic Care - Chronic Care Clinic encounter performed at Health Services.

SUBJECTIVE:

COMPLAINT 1

Provider: Weaver, Sarah (MAT) NP

Chief Complaint: Chronic Care Clinic

Subjective:

Patient is new to Milan. Will enroll in CCC.

1. HTN: Diagnosed a few years ago. Taking lisinopril 40 mg daily. Had ST this year (was normal). Denies CP/SOB/Syncope.

2. Infectious dx: Treated for Hep C in the past. Will do a viral load.

3. Hyperlipidemia: Treated with atorvastatin 20 mg.

4. Prostate enlargement with lower urinary symptoms: Takes Flomax. Reports nocturia 3x's per night with good symptom control .

Pain:

Not Applicable

Seen for clinic(s): Endocrine/Lipid, General, Hypertension, Infectious Disease

OBJECTIVE:

Exam Comments

See HP from 11-2

ASSESSMENT:

Chronic viral hepatitis C, B182 - Current

Disorder of prostate, unspecified, N429 - Current

Essential (primary) hypertension, I10 - Current

Hyperlipidemia, unspecified, E785 - Current

PLAN:

Disposition:

Follow-up at Sick Call as Needed
Follow-up at Chronic Care Clinic as Needed

Other:

Htn: Stable, continue lisinopril

Hyperlipidemia: Continue atorvastatin

Prostate enlargement: continue Flomax, PSA order

Hep C: Ordered viral load (likely negative) no symptoms.

Labs ordered.

Case 1:22-cv-10542-TLL-EAS ECF No. 1, PageID.14 Filed 02/28/22 Page 14 of 21

Inmate Name: FERGUSON, DONALD

Date of Birth: 08/12/1952

Encounter Date: 11/02/2021 07:36

Sex:

Race: BLACK Provider: Weaver, Sarah (MAT) NP

00548-190 Reg #:

Facility: MIL. D03 Unit:

Patient Education Topics:

Date Initiated Format 11/02/2021 Counseling Handout/Topic Diagnosis

Provider Weaver, Sarah Outcome Verbalizes Understanding

Copay Required: No

Cosign Required: Yes

Telephone/Verbal Order: No

Completed by Weaver, Sarah (MAT) NP on 11/02/2021 07:40

Requested to be cosigned by Fateh Hyder, Syed (MAT) Regional Medical Director/NCRO.

Cosign documentation will be displayed on the following page.

Bureau of Prisons Health Services Clinical Encounter - Administrative Note

Inmate Name:

FERGUSON, DONALD

Reg #:

00548-190

Date of Birth: Note Date:

08/12/1952 10/29/2021 12:24

Sex: Provider:

Race: BLACK Gilsdorf, Jill NP-C

Facility: Unit:

MIL D03

Cosign Note - Orders encounter performed at Health Services.

Administrative Notes:

ADMINISTRATIVE NOTE 1

Provider: Gilsdorf, Jill NP-C

APP notified of pt reporting no BM for two days. Per note, patient denies abdominal pain, nausea or vomiting. Patients chart reviewed. No contraindications noted for use of stool softener or laxative. Will order

Patient allergies reviewed and updates applied during this visit if indicated. See Chart: Allergies for most recent patient allergy list.

ASSESSMENTS:

Constipation, unspecified, K5900 - Current

New Medication Orders:

Rx#

Medication

Order Date

Docusate Sodium Capsule

10/29/2021 12:24

Prescriber Order:

per instrucitons Orally - daily x 14 day(s)

Indication: Constipation, unspecified

Senna Tablet

10/29/2021 12:24

Prescriber Order:

take two tabs Orally - daily PRN x 7 day(s) -- Once BM are regular, pt to

Indication: Constipation, unspecified

Other:

Constipation: will order Colace for 7 days PRN and Senna daily as needed for 7 days. Pt to stop taking Senna once BM have retuned to normal.

Disposition:

Follow-up at Sick Call as Needed

Patient Education Topics:

Date Initiated Format

Handout/Topic

Provider

Outcome

10/29/2021

Not Done

Gilsdorf, Jill

No Participation

Copay Required: No

Cosign Required: No

Telephone/Verbal Order: No

Completed by Gilsdorf, Jill NP-C on 10/29/2021 12:53

Bureau of Prisons Health Services Clinical Encounter

Inmate Name: FERGUSON, DONALD

Date of Birth: 08/12/1952

Encounter Date: 10/28/2021 06:47

Sex:

Race: BLACK

Provider: Hernandez, P. RN

Reg #: 00548-190

Facility: MIL D03 Unit:

Nursing - Evaluation encounter performed at Housing Unit.

SUBJECTIVE:

COMPLAINT 1

Provider: Hernandez, P. RN

Chief Complaint: GASTROINTESTINAL

Subjective:

Subjective Complaint: "I haven't had a bowel movement in 2 days I need some medicine"

Pain location if any: 0 Pain Scale 0-10: 0

How long have you had this problem?: 2 days

Pain:

Not Applicable

OBJECTIVE:

Pulse:

Time Date

Rate Per Minute

Location

Rhythm

Provider

10/28/2021 06:48 MIL

82

Hernandez, P. RN

Respirations:

Date

Time

Rate Per Minute Provider

10/28/2021

06:48 MIL

18 Hernandez, P. RN

Blood Pressure:

Date

Value

Location **Position** **Cuff Size**

Provider

10/28/2021 06:48 MIL

141/84

Hernandez, P. RN

SaO2:

Date

Time

Time

Value(%) Air

Provider

10/28/2021

06:48 MIL

96 Room Air

Hernandez, P. RN

Exam:

General

Affect

Yes: Pleasant, Cooperative

Appearance

Yes: Alert and Oriented x 3, Alert & Oriented to Person, Alert & Oriented to Place, Alert & Oriented to Time

ASSESSMENT:

Initial assessment

Inmate a/ox3 ambulatory stating 'I haven't had a bowel movement in 2 days and I need something". Inmate denies abd pain n/v/d or any other complaints at this time. NP made aware

PLAN:

Disposition:

Follow-up at Sick Call as Needed

Case 1:22-cv-10542-TLL-EAS ECF No. 1, PageID.17 Filed 02/28/22 Page 17 of 21

Inmate Name: FERGUSON, DONALD

Date of Birth: 08/12/1952

Encounter Date: 10/28/2021 06:47

Sex:

Race: BLACK

Reg #: 00548-190

Facility: MIL

Provider: Hernandez, P. RN D03 Unit:

Patient Education Topics:

Date Initiated Format 10/28/2021

Counseling

Handout/Topic Access to Care **Provider** Hernandez, P. Outcome Verbalizes Understanding

Copay Required: No

Cosign Required: Yes

Telephone/Verbal Order: No

Completed by Hernandez, P. RN on 10/28/2021 06:51

Requested to be cosigned by Gilsdorf, Jill NP-C.

Cosign documentation will be displayed on the following page.

Bureau of Prisons Health Services Clinical Encounter

Inmate Name: FERGUSON, DONALD

Date of Birth: 08/12/1952

Encounter Date: 10/21/2021 12:33

Sex: Race: BLACK

Provider: Udegbunam, Ukamaka

Reg #: 00548-190

Facility: MIL Unit: D03

Review Note - Follow up encounter performed at Health Services.

SUBJECTIVE:

COMPLAINT 1

Provider: Udegbunam, Ukamaka (MAT) NP-C

Chief Complaint: Medication Reconciliation

Subjective:

New intake, need to reconcile medication.

Patient allergies reviewed and updates applied during this visit if indicated. See Chart:

Allergies for most recent patient allergy list.

Pain:

Not Applicable

OBJECTIVE:

ASSESSMENT:

Essential (primary) hypertension, 110 - Current

PLAN:

New Medication Orders:

Rx#

Medication

Order Date

Lisinopril Tablet

10/21/2021 12:33

Prescriber Order:

40 mg Orally - daily x 365 day(s) -- Take by mouth 40 mg daily to control

blood pressure

Indication: Essential (primary) hypertension

Discontinued Medication Orders:

Rx#

Medication

Order Date

Lisinopril Tablet

10/21/2021 12:33

Prescriber Order:

40Mg Orally Mouth - daily x 180 day(s) -- Take one tablet (20Mg) by mouth

Discontinue Type:

When Pharmacy Processes

Discontinue Reason: new order written

Indication:

Disposition:

Follow-up at Sick Call as Needed

Patient Education Topics:

Date Initiated Format

Handout/Topic

Provider

Outcome

10/21/2021 Not Done

Udegbunam, Ukamaka

No Participation

,Copay Required: No

Cosign Required: No

Telephone/Verbal Order: No

Generated 10/21/2021 12:35 by Udegbunam, Ukamaka (MAT)

Completed by Udegbunam, Ukamaka (MAT) NP-C on 10/21/2021 12:35

Bureau of Prisons - MIL

Page 1 of 1

Bureau of Prisons Health Services Medication Summary Historical

Complex: MIL--MILAN FCI

Begin Date: 11/24/2020

End Date: 11/24/2021

Inmate:

FERGUSON, DONALD

Reg #:

00548-190

Quarter:

D03-120U

Medications listed reflect prescribed medications from the begin date to end date on this report.

Allergies:

Denied

Active Prescriptions

Acetaminophen 325 MG Tab

Take two tablets (650 MG) by mouth up to three times daily (every eight hours) as needed for pain and/or fever

Rx#: 181738-MIL

Doctor: Fateh Hyder, Syed (MAT) Regional Medical Director/NCRO

Start: 10/20/21

Exp: 10/30/21

Pharmacy Dispensings: 60 TAB in 10 days

Acetaminophen 325 MG Tab

Take two tablets (650 MG) by mouth up to three times daily (every eight hours) as needed for pain and/or fever

Rx#: 182330-MIL

Doctor: Fateh Hyder, Syed (MAT) Regional Medical Director/NCRO

Start: 11/02/21

Exp: 11/12/21

Pharmacy Dispensings: 60 TAB in 10 days

Atorvastatin 20 MG TAB

Take one tablet (20 MG) by mouth daily for control of cholesterol

Rx#: 181739-MIL

Doctor: Fateh Hyder, Syed (MAT) Regional Medical Director/NCRO

Start: 10/20/21

Exp: 11/19/21

D/C: 11/02/21

Pharmacy Dispensings: 30 tab in 30 days

Atorvastatin 20 MG TAB

Take one tablet (20 MG) by mouth daily for control of cholesterol

Rx#: 182331-MIL

Doctor: Fateh Hyder, Syed (MAT) Regional Medical Director/NCRO

Start: 11/02/21

Exp: 11/02/22

Pharmacy Dispensings: 30 tab in 23 days

Docusate Sodium 100 MG Cap

Take one capsule (100 MG) by mouth daily Take with a glassful of water

Rx#: 182189-MIL

Doctor: Gilsdorf, Jill NP-C

Start: 10/29/21

Exp: 11/12/21

D/C: 11/02/21

Pharmacy Dispensings: 14 CAP in 14 days

Docusate Sodium 100 MG Cap

Take one capsule (100 MG) by mouth daily Take with a glassful of water

Rx#: 182332-MIL

Doctor: Fateh Hyder, Syed (MAT) Regional Medical Director/NCRO

Start: 11/02/21

Exp: 12/02/21

Pharmacy Dispensings: 0 CAP in 23 days

Lisinopril 40 MG Tab

Take one tablet (40 MG) by mouth daily to control blood pressure

Rx#: 181770-MIL

Doctor: Udegbunam, Ukamaka (MAT) NP-C

Start: 10/21/21

Exp: 10/21/22

Pharmacy Dispensings: 60 TAB in 35 days

Case 1:22-cv-10542-TLL-EAS ECF No. 1, PageID.20 Filed 02/28/22 Page 20 of 21

 Complex:
 MIL--MILAN FCI
 Begin Date:
 11/24/2020
 End Date:
 11/24/2021

 Inmate:
 FERGUSON, DONALD
 Reg #:
 00548-190
 Quarter:
 D03-120U

Active Prescriptions

Senna 8.6 MG Tab

Take two tablets (17.2 MG) by mouth daily as needed for constipation

Rx#: 182190-MIL

Doctor: Gilsdorf, Jill NP-C

Start: 10/29/21

Exp: 11/05/21 D/C: 11/02/21

Pharmacy Dispensings: 14 TAB in 7 days

Senna 8.6 MG Tab

Take two tablets (17.2 MG) by mouth daily as needed for constipation

Rx#: 182333-MIL

Doctor: Fateh Hyder, Syed (MAT) Regional Medical Director/NCRO

Start: 11/02/21

Exp: 11/16/21

Pharmacy Dispensings: 0 TAB in 14 days

Tamsulosin HCI 0.4 MG Cap

Take one capsule (0.4 MG) by mouth daily 30 minutes after the same meal every day for prostate

Rx#: 181740-MIL

Doctor: Fateh Hyder, Syed (MAT) Regional Medical Director/NCRO

Start: 10/20/21

Exp: 11/19/21

D/C: 11/02/21

Pharmacy Dispensings: 30 Cap in 30 days

Tamsulosin: HCI 0.4 MG Cap

Take one capsule (0.4 MG) by mouth daily 30 minutes after the same meal every day for prostate

Rx#: 182334-MIL

Doctor: Fateh Hyder, Syed (MAT) Regional Medical Director/NCRO

Start: 11/02/21

Exp: 05/01/22

Pharmacy Dispensings: 30 Cap in 23 days

